# PATENT COOPERATION TREATY

# **PCT**

# TRANSLATION INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

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Applicant's or agent's file reference  JP2005005SKK				FOR FURTHER ACT	ΓΙΟΝ	See Form PCT/IPEA/416			
International application No. PCT/JP2005/002539				International filing date 18.02.2005	(day/month/year)	Priority date (day/month/year) 20.02.2004			
Internat	ional Pat	tent Classifi	ication (IPC) or nati	onal classification and IPO	7				
A61	.K31/		, ,			C07D491/107(2006.01)			
Applica SAN		KAGAKU	J KENKYUSI	HO CO., LTD.					
1.	1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.								
2.	This R	EPORT co	nsists of a total of	sheets, including this cover sheet.					
3.	This re	eport is also	accompanied by A	NNEXES, comprising:					
	a. 🔀	(sent t	o the applicant and	to the International Bured	u) a total of <b>1</b>	sheets, as follows:			
	sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).								
	sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.								
	ь. [	7		Bureau only) a total of (in	dicate type and number	r of electronic carrier(s))			
related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (so Section 802 of the Administrative Instructions).									
4.	This report contains indications relating			ng to the following items:	g to the following items:				
	$\boxtimes$	Box No. I	Basis of the	report					
		Box No. I	I Priority						
		Box No. I	II Non-establi	shment of opinion with re	nment of opinion with regard to novelty, inventive step and industrial applicability				
		Box No. I	V Lack of uni	y of invention					
Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial a citations and explanations supporting such statement						lty, inventive step or industrial applicability;			
Box No. VI Certain docum				ments cited					
Box No. VII Certain defects in the international application									
	Box No. VIII Certain observations on the international application								
Date of	submiss	ion of the d	emand	Da	ate of completion of the	is report			
Name and mailing address of the IPEA/JP					uthorized officer				
Facsimile No.				Te	elephone No.				

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2005/002539

Box	No. I	I Basis of the report							
1.		h regard to the language, this report is based on the internationated under this item.	onal application in the language in	which it was filed, unless otherwise					
2.		This report is based on translations from the original langua which is the language of a translation furnished for the purposition international search (Rule 12.3 and 23.1(b))  publication of the international application (Rule 12.4 international preliminary examination (Rule 55.2 and the regard to the elements of the international application, this eiving Office in response to an invitation under Article 14 and	ooses of:  /or 55.3) report is based on (replacement s						
	this	the international application as originally filed/furnished the description:  pages 1-7  as originally filed/furnishe.							
		pages*							
		pages*							
	$\boxtimes$	the claims:	· · · · · · · · · · · · · · · · · · ·						
		nos.		as originally filed/furnished					
		nos.**							
		nos.* 1-4		•					
		nos.*	received by this Authority on						
		the drawings:							
		sheets		as originally filed/furnished					
		sheets*	received by this Authority on						
		sheets*	received by this Authority on						
		a sequence listing and/or any related table(s) - see Supplem	nental Box Relating to Sequence L	isting.					
3.		The amendments have resulted in the cancellation of:							
		the description, pages							
		the claims, nos.							
		Also describes about (6)							
		the sequence listing (specify):							
		any table(s) related to sequence listing (specify):							
4.		This report has been established as if (some of) the amend they have been considered to go beyond the disclosure as fi	lments annexed to this report and	listed below had not been made, since					
		the description, pages							
		the claims, nos.							
		the drawings, sheets/figs							
		the sequence listing (specify):							
		any table(s) related to sequence listing (specify):							
*	If ite	em 4 applies, some or all of those sheets may be marked "sup	erseded."						

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Вох		Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement					
1.	Statement						
	Novelty (N)	Claims	1-4	YES			
		Claims		NO			
	Inventive step (IS)	Claims	1-4	YES			
		Claims		NO			
	Industrial applicability (IA)	Claims	1-4	YES			
		Claims		NO			

### 2. Citations and explanations (Rule 70.7)

Documents cited in the international search report:

- Document 1: JP 7-242547 A (Sanwa Kagaku Kenkyusho Co., Ltd.), 19 September 1995, entire document
- Document 2: JP 61-200991 A (Sanwa Kagaku Kenkyusho Co., Ltd.), 5 September 1986, entire document
- Document 3: JP 63-57588 A (Sanwa Kagaku Kenkyusho Co., Ltd.), 12 March 1988, entire document
- Document 4: JP 2001-10975 A (Takeda Chemical Industries, Ltd.), 16 January 2001, entire document

Document 1 indicates that the compounds set forth in claims 1 and 2 of this application are used as an agent to inhibit the development and as an agent to treat diabetic simple retinopathy, and documents 2 and 3 indicate that the compounds set forth in claims 1 and 2 are used as agents for the treatment and prevention of diabetic retinopathy. However, none of the documents indicates or suggests that the compounds set forth in claims 1 and 2 of this application are used as agents for the treatment of severe diabetic retinopathy (agents to inhibit the development to diabetic proliferative retinopathy, agents to inhibit the development of diabetic preproliferative retinopathy, and agents to

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

inhibit the development of diabetic proliferative retinopathy). In addition, document 4 indicates that compounds having an angiotensin II antagonist effect are used as agents to prevent, treat or inhibit the development of simple retinopathy or preproliferative retinopathy, but neither indicates nor discloses that the compounds set forth in claims 1 and 2 of this application are used.

Therefore the inventions set forth in claims 1 to 4 are novel and involve an inventive step in relation to documents 1 to 4.